

d. Remarks

AMENDMENTS

Claim 10 has been amended to correct an evident grammatical error.

REJECTIONS

At page 2, the Office Action rejects claims 10 – 12 as anticipated by U.S. Patent No. 6,465,387 of Pinnavaia et al (Herein, referred to as Pinnavaia.).

The Office Action does not cite a prior art teaching for a “crosslinked collection of amphiphilic organosilicate precursors” as recited in claim 1. Instead, the Office Action states that cols. 10 – 11 of Pinnavaia teach one or more amphiphilic silanes and that col. 8, line 48, to col. 9, line 11, of Pinnavaia teaches a methodology for using said silanes to produce mesoporous materials, e.g., crosslinked materials. These prior art teachings are not equivalent to a teaching of crosslinked amphiphilic organosilicates as recited in pending claim 10. In particular, a method for crosslinking does not “inherently” produce crosslinked amphiphilic organosilicates even if the method performs crosslinking reactions on amphiphilic silanes.

Pinnavaia’s methodology includes subjecting his substituted silanes to the conditions of both a hydrolysis reaction and a crosslinking reaction. Pinnavaia, col. 6, line 67, to col. 7, line 8. The conditions for such a reaction sequence may chemically change the nature of hydrophobic and/or hydrophilic moieties. Thus, it is not necessary that amphiphilic silanes produce crosslinked amphiphilic organosilicates after being subjected to the conditions for such reactions. Indeed, the present application discusses that curing/crosslinking can change the hydrophilic nature of moieties on the precursors for organosilicates at page 2, lines 1 – 8. For these reasons, it is not inherent that Pinnavaia’s method produces crosslinked amphiphilic organosilicates even if Pinnavaia teaches the crosslinking silanes that start as amphiphilic molecules.

Even though it is not inherent that crosslinking of amphiphilic silanes produces crosslinked amphiphilic organosilicates, the Office Action provides no evidence from Pinnavaia or elsewhere that Pinnavaia's teachings would inherently produce such organosilicates. Applicants do not waive the requirement on the Examiner to provide such evidence if he persists in this rejection.

For the above reasons, claim 10 is novel over Pinnavaia as applied in the Office Action.

Claims 11 – 12 are novel over Pinnavaia as applied in the Office Action, at least, by their dependency on base claim 10.

OBJECTIONS

At page 3, the Office Action objects to claims 13 – 14 as being dependent on a rejected base claim but as otherwise allowable if rewritten in independent form.

Since base claim 10 is allowable over Pinnavaia as applied in the Office Action, it is not necessary to rewrite claims 13 – 14 in independent form.

CONCLUSIONS

Applicants request allowance of claims 10 – 14 as presently pending.

No fee is believed due. In the event of any non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Lucent Technologies Deposit Account No. 12-2325** to correct the error.

Respectfully,



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